

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

**KYLE SANZ-CARVER,**

Petitioner,

v.

**OKLAHOMA COUNTY  
DISTRICT COURT,**

Respondent.

**CIV-24-218-RAW-GLJ**

**OPINION AND ORDER**

Petitioner, a pro se prisoner who is incarcerated at the Cleveland County Jail in Norman, Oklahoma, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. (Dkt. 1). A review of the petition indicates Petitioner is challenging the charges pending against him in Oklahoma County District Court Case No. CF-2023-927. *Id.* at 1.

“[A] state court defendant attacking his pretrial detention should bring a habeas petition pursuant to the general grant of habeas authority contained within 28 U.S.C. § 2241.” *Walck v. Edmondson*, 472 F.3d 1227, 1235 (10th Cir. 2007) (citations omitted). Therefore, the petition shall be treated as arising under 28 U.S.C. § 2241.

A prisoner’s § 2241 petition must be filed in the district where the petitioner is confined. *See Montez v. McKinna*, 208 F.3d 862, 865 (10th Cir. 2000) (citing *Bradshaw v. Story*, 86 F.3d 164, 166 (10th Cir. 1996)). Petitioner is incarcerated in Cleveland County, Oklahoma, which is located within the territorial jurisdiction of the United States District Court for the Western District of Oklahoma. *See* 28 U.S.C. § 116(c). When a case is filed in the wrong district, the Court “shall dismiss, or if it be in the interest of justice, transfer such case to any district in which it could have been brought.” 28 U.S.C. § 1406(a). The Court finds that in the furtherance of justice, this matter may more properly be addressed in the Western District of Oklahoma.

**ACCORDINGLY,**

1. This action is construed as arising under 28 U.S.C. § 2241.
2. Pursuant to 28 U.S.C. § 2241(d), this action is transferred to the United States District Court for the Western District of Oklahoma for all further proceedings.

**IT IS SO ORDERED** this 12<sup>th</sup> day of July 2024.

A handwritten signature in black ink, reading "Ronald A. White", written over a horizontal line.

Ronald A. White  
United States District Judge  
Eastern District of Oklahoma